

REFERENCE TITLE: vehicle title; registration; electronic signatures

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HB 2169

Introduced by
Representative Robson

AN ACT

REPEALING SECTION 28-2064, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 7, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-2064; AMENDING SECTION 28-6991, ARIZONA REVISED STATUTES; AMENDING LAWS 2001, CHAPTER 325, SECTION 18; RELATING TO ELECTRONIC VEHICLE TITLE AND REGISTRATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Repeal

3 Section 28-2064, Arizona Revised Statutes, is repealed.

4 Sec. 2. Title 28, chapter 7, article 2, Arizona Revised Statutes, is
5 amended by adding a new section 28-2064, to read:

6 28-2064. Electronic and digital signatures; documents;
7 acceptance; fee

8 A. ON OR BEFORE JANUARY 1, 2009, THE DIRECTOR SHALL ESTABLISH A SYSTEM
9 TO ACCEPT AND USE ELECTRONIC OR DIGITAL SIGNATURES FOR ANY DOCUMENT OR FOR
10 ANY TRANSACTION PRESCRIBED IN THIS CHAPTER AND SECTIONS 28-370, 28-444,
11 28-453 AND 28-5111 THROUGH ELECTRONIC MEDIA IN LIEU OF THE SUBMISSION AND
12 MAINTENANCE OF PAPER DOCUMENTS.

13 B. IN THE PROCESS OF ESTABLISHING THE SYSTEM, THE DIRECTOR SHALL:

14 1. RESEARCH METHODS TO ALLOW THE DEPARTMENT, AUTHORIZED THIRD PARTIES,
15 LICENSED FINANCIAL INSTITUTIONS, LICENSED INSURERS AND ANY OTHER PERSON AS
16 DETERMINED BY THE DIRECTOR TO ACCEPT, EXCHANGE AND USE ELECTRONIC OR DIGITAL
17 SIGNATURES OR DOCUMENTS WITHOUT SUBMITTING OR RECEIVING A PAPER TITLE
18 DOCUMENT.

19 2. DEVELOP METHODS TO ALLOW THE DEPARTMENT, AUTHORIZED THIRD PARTIES
20 OR ANY OTHER PERSON, AS DETERMINED BY THE DIRECTOR, TO ACCEPT, EXCHANGE AND
21 USE ELECTRONIC OR DIGITAL SIGNATURES OR DOCUMENTS WITHOUT SUBMITTING OR
22 RECEIVING A PAPER DOCUMENT.

23 3. ENSURE THAT ADEQUATE SECURITY MEASURES ARE IN PLACE TO PREVENT ANY
24 ILLEGAL USE OF THE SIGNATURES, DOCUMENTS OR OTHER INFORMATION EXCHANGED
25 PURSUANT TO THIS SECTION.

26 C. THE DIRECTOR MAY LIMIT THE NUMBER OF PARTICIPANTS IN THE SYSTEM BUT
27 SHALL ENCOURAGE AUTHORIZED THIRD PARTIES AND BUSINESSES OF VARIOUS SIZES TO
28 PARTICIPATE. AFTER THE SYSTEM HAS BEEN OPERATING FOR TWELVE MONTHS, THE
29 DIRECTOR MAY EXPAND THE SYSTEM IF THE DIRECTOR DETERMINES THE SYSTEM IS
30 SUCCESSFUL.

31 D. THE DIRECTOR MAY ESTABLISH AND REQUIRE A FEE FROM SYSTEM
32 PARTICIPANTS. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
33 35-147, ALL MONIES RECEIVED PURSUANT TO THIS SECTION IN THE STATE HIGHWAY
34 FUND ESTABLISHED BY SECTION 28-6991.

35 E. THE DIRECTOR SHALL ADOPT RULES NECESSARY TO IMPLEMENT THIS SECTION.

36 Sec. 3. Section 28-6991, Arizona Revised Statutes, is amended to read:

37 28-6991. State highway fund; sources

38 A state highway fund is established that consists of:

39 1. Monies distributed from the Arizona highway user revenue fund
40 pursuant to chapter 18 of this title.

41 2. Monies appropriated by the legislature.

42 3. Monies received from donations for the construction, improvement or
43 maintenance of state highways or bridges. These monies shall be credited to
44 a special account and shall be spent only for the purpose indicated by the
45 donor.

- 1 4. Monies received from counties under cooperative agreements,
2 including proceeds from bond issues. The state treasurer shall deposit these
3 monies to the credit of the fund in a special account on delivery to the
4 treasurer of a concise written agreement between the department and the
5 county stating the purposes for which the monies are surrendered by the
6 county, and these monies shall be spent only as stated in the agreement.
- 7 5. Monies received from the United States under an act of Congress to
8 provide aid for the construction of rural post roads, but monies received on
9 projects for which the monies necessary to be provided by this state are
10 wholly derived from sources mentioned in paragraphs 2 and 3 of this section
11 shall be allotted by the department and deposited by the state treasurer in
12 the special account within the fund established for each project. On
13 completion of the project, on the satisfaction and discharge in full of all
14 obligations of any kind created and on request of the department, the
15 treasurer shall transfer the unexpended balance in the special account for
16 the project into the state highway fund, and the unexpended balance and any
17 further federal aid thereafter received on account of the project may be
18 spent under the general provisions of this title.
- 19 6. Monies in the custody of an officer or agent of this state from any
20 source that is to be used for the construction, improvement or maintenance of
21 state highways or bridges.
- 22 7. Monies deposited in the state general fund and arising from the
23 disposal of state personal property belonging to the department.
- 24 8. Receipts from the sale or disposal of any or all other property
25 held by the department and purchased with state highway monies.
- 26 9. Monies generated pursuant to section 28-410.
- 27 10. Monies distributed pursuant to section 28-5808, subsection B,
28 paragraph 2, subdivision (d).
- 29 11. Monies deposited pursuant to sections 28-1143, 28-2353 and 28-3003.
- 30 12. Except as provided in section 28-5101, the following monies:
- 31 (a) Monies deposited pursuant to section 28-2206 and section 28-5808,
32 subsection B, paragraph 2, subdivision (e).
- 33 (b) One dollar of each registration fee and one dollar of each title
34 fee collected pursuant to section 28-2003.
- 35 (c) Two dollars of each late registration penalty collected by the
36 director pursuant to section 28-2162.
- 37 (d) The air quality compliance fee collected pursuant to section
38 49-542.
- 39 (e) The special plate administration fees collected pursuant to
40 sections 28-2404, 28-2412 through 28-2428 and 28-2514.
- 41 (f) Monies collected pursuant to sections 28-372, 28-2155 and 28-2156
42 if the director is the registering officer.
- 43 13. Monies deposited pursuant to chapter 5, article 5 of this title.
- 44 14. Donations received pursuant to section 28-2269.

1 15. Dealer and registration monies collected pursuant to section
2 28-4304.

3 16. Abandoned vehicle administration monies deposited pursuant to
4 section 28-4804.

5 17. Monies deposited pursuant to section 28-710, subsection D,
6 paragraph 2.

7 18. **MONIES DEPOSITED PURSUANT TO SECTION 28-2064.**

8 Sec. 4. Laws 2001, chapter 325, section 18 is amended to read:

9 Sec. 18. Delayed repeal

10 ~~A.~~ Laws 2001, chapter 325, section 17 ~~of this act~~, relating to
11 electronic certificates of title written report requirements, is repealed on
12 January 1, 2007.

13 ~~B. Section 28-2064, Arizona Revised Statutes, as added by this act, is~~
14 ~~repealed on January 1, 2009.~~